

# THE CASE

AGAINST THE

## UNITED KINGDOM ALLIANCE

AND THE

## PERMISSIVE BILL.

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MANCHESTER:

JOHN HEYWOOD, 141 AND 143, DEANSGATE.

LONDON:

SIMPKIN, MARSHALL, & CO.

1872.

(Whatever Trade Parliament Licenses, it recognises—and so long as such Trade is a source of public revenue, it is entitled to public protection.)

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ISSUED BY THE EXECUTIVE COMMITTEE OF THE  
**Provincial Licensed Victuallers' Defence League.**

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*Geo: Candlish.*  
"\_\_\_\_\_  
" SECRETARY.

Offices :—COMMERCIAL CHAMBERS,  
4, HANGING DITCH, MANCHESTER.

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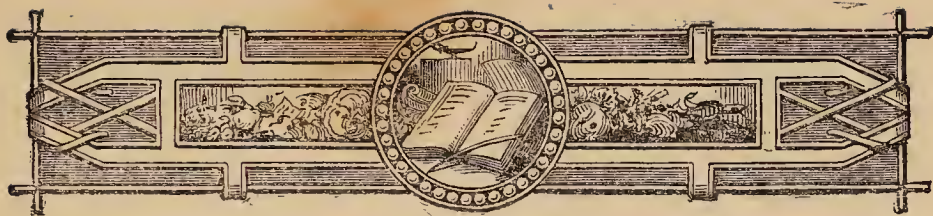
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# THE CASE

AGAINST THE

## UNITED KINGDOM ALLIANCE AND THE PERMISSIVE BILL.

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### I.—THE ALLIANCE v. THE TRADE AND THE PUBLIC.

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**Introductory.** The United Kingdom Alliance proposes once more to test the opinion of Parliament on the subject of its Permissive Bill. It does this notwithstanding the fact that the Government is pledged to the introduction of a measure for the regulation of the licensing system; and it has been shown, by its recent declarations and policy, that the enactment of no measures founded upon statesmanlike and moderate principles will lead to a cessation of the agitation which it has now carried on for nearly twenty years.

Indeed, the very bill which Sir Wilfrid Lawson is about to introduce under the auspices of the Alliance, is only accepted by that association as an instalment. It partially disavows all responsibility for that scheme, and intimates its resolve to be content with nothing less than “the total and immediate suppression” of the trade in alcoholic beverages. It becomes, therefore, of great importance to the Trade against whose interests its energies and efforts are directed, as well as to



the great body of the Public whose comfort and convenience are threatened, to examine the pretensions of this organisation, with a view of showing that the principles it advocates are unsound, that the law it seeks to introduce has failed wherever it has been tried, that its policy is adverse to the spread of temperate and sober habits, and that its continued agitation is inimical to the interests of the country, and ought to be strongly and effectually discouraged by public opinion and the decisive action of Parliament.

It is proposed, therefore, to state as briefly as possible a number of facts (many of them but imperfectly known) with reference to the Trade, the licensing system, and intemperance; to show some of the evils—civil, social, and political—attendant on the continued agitation for a prohibitory law; and to indicate the views of the Trade on the subject of the licensing system. In subsequent sections will be found a history of the failure of all prohibitory experiments, and a collection of opinions and arguments against the Permissive Bill, and the Alliance, selected from the speeches and books of men of eminence in the State, the Church, and in Literature.

The Liquor Trade. The Liquor Trade, against which the Alliance directs its attacks, is an ancient industry, and is probably more widely distributed over the country than any other. The number of persons actually and actively employed in it, and deriving their livelihood from it, is estimated by Professor Leone Levi\* to be no fewer than 846,000. The figures are made up as follows:—

Labourers engaged in Production of Barley.....	60,000
"                    "                    "                    Hops .....	12,000
Persons employed in Malting and Brewing .....	66,000
"                    "                    Distilling and Rectifying.....	6,000
"                    "                    Bottling, Coopering, Still- making, Carriage, &c.... }	100,000
"                    "                    Cork and Glass-making .....	2,000
"                    "                    Public-houses and Beerhouses.	600,000
	<hr/>
Total.....	846,000

\* *A Report to M. T. Bass, Esq., M.P., on the Capital Invested and the Number of Persons Engaged in the Liquor Trades.*—By Professor Leone Levi, F.S.A.

Add the families dependent upon these workers, and the number of persons, either immediately employed or dependent on the various branches of the trade, may be safely taken at one million and a-half (1,500,000).

**Capital in the Trade.** The same authority estimates the capital, fixed and floating, invested in the Liquor Trade of the United Kingdom as follows :—

	Fixed Capital.	Half the Floating Capital.	Total.
	£	£	£
Beer .....	12,400,000	16,000,000	28,400,000
Spirits—British .....	5,000,000	7,200,000	12,200,000
„ Foreign and Wine .....	.....	6,900,000	6,900,000
Glass Bottle and Cork Manufacturers...	500,000	.....	500,000
Wine and Spirit Dealers, Bottlers, &c...	3,000,000	2,000,000	5,000,000
Public-houses .....	57,000,000	.....	57,000,000
Wages of Dealers' Workmen, Bottlers, &c	.....	250,000	250,000
Wages of Public-house Servants .....	.....	6,000,000	6,000,000
License Duties.....	.....	850,000	850,000
Total.....	77,900,000	39,200,000	117,100,000

In this calculation, the floating capital is taken at one-half, in order to represent as accurately as possible the amount actually invested at any one time.

It thus appears that the aggregate investment is £117,100,000 and it is distributed in the following proportions :—

England .....	£92,315,000
Scotland .....	£13,344,000
Ireland.....	£11,441,000
	£117,100,000

It will serve to show the magnitude of the liquor trades as compared with other great industries of the country, if (still availing ourselves of Professor Levi's statistical calculations) we note that the total capital, fixed and floating, invested in the Cotton trade, is estimated at £85,500,000; of the Woollen Manufacture at £22,600,000; and of the Iron Manufacture at £25,500,000.

The duties and licences imposed upon liquors and the Liquor Trade contribute more than one-third to the total revenue of the country. That revenue for the year ending the 31st of March, 1870, was £73,503,719, and the sum received by the Exchequer from the Liquor Trade was £24,820,623, or 34 per cent. of the whole, as follows:—

Malt Duty .....	£6,483,612
British Spirits.....	£10,969,188
Foreign Spirits .....	£4,191,400
Wine .....	£1,476,604
Licences (1869) .....	£1,699,819
	<hr/>
	£24,820,623

For the year ending March 31st, 1871, the duty from the taxes on liquor and licenses was still greater, viz., £26,185,000, which, in a total revenue of £69,945,000, gave a proportion of 37 per cent.

**The Present  
Licensing  
System.  
Regulations  
and  
Hours.**

The laws at present in force for the regulation of public-houses are of considerable stringency. Setting aside the Suspensory Act of 1871, which was professedly a temporary measure, and passed for one year only, the governing Act is 9 Geo. IV., c. 61.

A public-house must be first licensed by the justices before the keeper of it can sell exciseable liquors. The licence must be renewed annually. It compels the holder to keep unadulterated liquors, to use only legal measures, not to permit drunkenness or unlawful games or bad characters, and, lastly, not to open his house at certain specified times. Constables have the power to enter public-houses at all times.

As regards the restrictions upon the hours, public-houses are required to remain closed until one o'clock on Sundays. They must again be shut from three to five p.m., and shut altogether at eleven p.m. until four a.m. on the following day. They are thus permitted to be open on Sundays for eight hours in all. On week-days, in towns which have adopted the One



o'Clock Closing Act, public-houses are required to close between the hours of one a.m. and four a.m. Elsewhere, under the general act, public-houses may remain open, if respectably conducted, all night. In Scotland inns are closed the whole day on Sunday.

**Inns and the Public Convenience.** Whilst thus providing for the maintenance of good order, the Law, on the other hand, has not been unmindful of the public convenience ; and with this view mine host is fenced in by requirements which are not applied to any other tradesman. He is bound, for example, to open his house to all travellers without distinction, and has no option to refuse such shelter, refreshment, and accommodation as he possesses, provided the person who applies is of the description of a traveller, and able and ready to pay the customary hire, and is not drunk or disorderly, or labouring under any infectious disorder. There are other protective regulations which need not be specified, but which are of special value to the public, and particularly to travellers in out-of-the-way and rarely frequented places. Apart from legal privileges, however, the British inn has for centuries been celebrated for its hospitable reception of wayfarers, and, in large towns, for the combined independence and privacy which it ensures to its guests. What Shenstone, the poet, sang long ago, is true now :—

Here, waiter, take my sordid ore,  
Which lackeys else might hope to win :  
It buys what courts have not in store,  
It buys me freedom at an inn.

Whoe'er has travelled life's dull round,  
Where'er his stages may have been,  
May sigh to think he still has found  
His warmest welcome at an inn.

**The Alliance Attacks.** It is against this great industry, which, for the public convenience, has grown with the growth of the country, and which, for the preservation of social order and the protection of the revenue, is

guarded round by stringent regulations, that the Alliance has directed its incessant attacks for the last nineteen years, using in reference to it the most unjustifiable vituperation, and striving, by exaggerated and totally unfounded assertions, to arouse popular prejudice against all concerned in the trade. No other class of tradesmen has ever, for so long a period, been subjected to similar unmeasured abuse, and the result of the violent attacks of the Alliance has been to irritate and disturb the Trade without a single compensating public advantage. The unreasonableness and injustice of such a course scarcely requires demonstration. It would be tedious, if not impracticable, to follow the Alliance through all the evils which it attempts to fasten upon the Trade, and which really have their origin in many concurrent defects of our social system—such as the want of education, decent dwellings, wholesome recreation, and the like—and we shall therefore confine ourselves to the presentation of a few facts in relation to the subject of intemperance.

**Is  
Intemperance  
Increasing?**

Perhaps the assertion most frequently made by Alliance advocates is the one that intemperance is fearfully on the increase. As nothing but the truth will, in the long run, serve the cause of either one side or the other, it is a matter of great importance to arrive at a sound conclusion on this subject. Probably if the absolute truth in a broad way could be ascertained, it would be found that there is an increase, though not a large one, in the number of habitual drunkards, but that the great mass of the people is more sober and temperate than at any previous period. To prove this position there are two tests available: first, the police returns of committals for drunkenness; second, the revenue returns of the consumption of beer, wines, and spirits. The police returns are, no doubt, trustworthy in a statistical sense, but it is to be observed that they are merely statistical—that is to say, they give no information whatever as to the relative stringency with which the laws are put into operation in particular localities. Now, it is

notorious that exceptionally stringent measures have been taken in Manchester and Liverpool, where the police force has been very largely augmented during the last twenty-five years, and where the Alliance people have constituted themselves into Vigilance Committees and amateur informers, in order to hound on the magistrates and constabulary against drunken people and the keepers of public-houses. Manchester and Liverpool, accordingly, show an increase of committals for drunkenness during the last ten years. Upon this subject we propose to say something further on. As regards the rest of England, omitting the two great Lancashire towns, the available evidence founded upon the police returns of committals proves that drunkenness is not increasing. On the contrary, when the augmentation of the population is taken into account, there is clear evidence that intemperance is on the decline. Thus, exclusive of Manchester and Liverpool, we find that in 91 towns, with a population exceeding 10,000, there were—

In 1841 .....	52,017 cases of drunkenness.
„ 1845 .....	45,031 „
„ 1869 .....	49,600 „

the population of these ninety-one towns having in the interval more than doubled. Again, as regards the Metropolis, whereas in 1841 there were 30,816 cases of drunkenness in a population of 1,948,000, in 1869, when the population had increased to 3,251,000, there were but 21,056. Or, to put the same in tabular form:—

	Population.	Cases of Drunkenness
London in 1841 ....	1,948,000	..... 30,816
„ 1869 .....	3,251,000	..... 21,056
Increase of Population .....	1,303,000	
Decrease of Drunken Cases		9,760

We will now take three large towns and institute a similar comparison, merely premising that the only way to test the increase or decrease of drunkenness, as shown by the apprehensions, is to place the figures in juxta-position with the



population at the respective periods, and thus show the ratio of drunken cases to the number of inhabitants:—

	Population.	Apprehensions for Drunkenness.	Ratio of Drunken Cases to Population.
Bristol in 1841 .....	122,296	1,076	1 in 113
„ 1869 .....	182,529	1,042	1 „ 175
Birmingham in 1841	182,922	1,588	1 „ 115
„ 1869	343,696	2,244	1 „ 153
Liverpool in 1841 ...	286,487	15,822	1 „ 18
„ 1869...	493,346	21,113	1 „ 23

It will thus be seen that in every case, even including the notorious Liverpool, a proportionate diminution in the number of apprehensions has taken place in the twenty-eight years between 1841 and 1861.

Mr. Henley, M.P., in the course of a debate in the House of Commons in April, 1869, showed by most elaborate statistics that, leaving Lancashire out of consideration, drunkenness had perceptibly diminished of late years. The persons apprehended for drunkenness in the whole of England in 1867 (excluding Lancashire) were only at the rate of one in every 103 persons. The West Riding of Yorkshire, with a population of 1,500,000, had 6,000 cases of drunkenness in 1861, and in 1867, with a largely augmented population, only 6,063.

All the evidence obtainable from the *Judicial Statistics* points in the same direction, viz., that drunkenness is not on the increase in the country at large, and that, on the whole, it has a tendency to diminish, and in some places, especially in the metropolis, it has materially declined.

The state of affairs in relation to drunkenness in Manchester and Liverpool is exceptional, and has therefore been reserved for separate consideration. It has already been shown that to include the committals of these towns in the aggregate for England would prevent us from arriving at just conclusions as to the increase or decrease of drunkenness in the country generally.



It has also been shown that the apprehensions for drunkenness in Liverpool were comparatively smaller in 1869 than they were in 1841, a decline having taken place from 1 in 18 to 1 in 23 of the population. Still, it must be admitted that the aggregate number of drunken cases remains very large. As regards Manchester, the increase in the number of committals has been steady and continuous, as the following figures will show :—

1860 .....	2,329	1866 .....	5,639
1861 .....	2,284	1867 .....	9,742
1862 .....	3,373	1868 ... ..	9,540
1863 .....	3,206	1869 .....	11,461
1864 .....	3,587	1870 .....	11,083
1865 .....	3,679	1871 .....	10,699

Opinions differ widely as to the causes of the exceptional condition of things in the two leading Lancashire towns, but undoubtedly the chief reason is the extraordinary activity of the police and the peculiar influences brought to bear upon the magistrates. In Manchester the police force was increased sixteen per cent. during the ten years from 1860 to 1870, and, in relation to the area over which its duties extend, it is by far the largest in the country. Thus, in London, the number of the police constables is 21 per thousand acres ; in Liverpool, 86 ; and in Manchester, 122. Archdeacon Denison recently declared that he should be very thankful if the “admirable police regulations which he was told existed in Lancashire” could be extended throughout the rest of England ; but he wouldn’t find many people to agree with him in the over-policed city of Manchester. Enormous as the force is in Manchester, it is supplemented, as regards the watching of public-houses and the arrest of drunken men, by a body of amateur detectives—Good Templars, teetotal spies, and adherents of the Alliance, of which association Manchester is the headquarters. Harassed by these emissaries, whose object is as discreditable as it is obvious, the Manchester constables arrest scores and scores of inoffensive inebriates, who, in any other town in the kingdom, would be allowed to go quietly home, and this assertion is confirmed by the fact that the number of persons proceeded against to each constable is the largest in Manchester

of any town in England.\* In the Metropolis this number was 10·8; in the City of London 16·2; in Leeds 29·0, and in Liverpool 38·7; but in Manchester it was 40·7. Now, of the whole number of persons taken before the magistrates for all sorts of offences during the year 1871, no less than 41 per cent. was for drunkenness—a fact which proves our position to demonstration, namely, that the energies of the police have been peculiarly directed to one particular department of their duties. Another fact from Captain Palin's statistics is worthy of citation; though, if the truth were known, it is probably not exclusively illustrative of Manchester. Of the 10,699 persons proceeded against for drunkenness in 1871, 10,366 were badly educated or wholly ignorant, and only 333 could read and write well. It is a glaring and grievous defect of these statistics that they draw no distinction between cases and persons. The same person, as, for example, an habitual drunkard, may be, and frequently is, brought up ten, twenty, or thirty times in the course of a twelve-month. How many "cases" of this kind are there in Manchester? The police statistics do not tell us, and yet the character of the whole population is misrepresented and aspersed by the absence of such information. As an illustration of the delusiveness of comparative statistics, as well as of the increased stringency of the police regulations in reference to intemperance, it may be observed that what are called "refused charges" have very much diminished. Ten years ago there was a large number of refused charges, 1,800 in 4,044 persons taken up by the police; in 1870 the charges refused were only 800 in 11,000. This points to increased rigour on the part of the Watch Committee and the magistrates, and it is a fact that these local authorities, also, have been influenced by the Alliance agitators and the numerous teetotal societies in the city. On the whole, there is reason to believe that police interference is vastly overdone in Manchester. The result, on the one hand, is to give the city an evil pre-eminence which is by no means its due; and, on the other, it proves that the system adopted is powerless as a deterrent,

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\* See Captain Palin's Statistical Returns of the Manchester Police for 1871.

and that if intemperance is to be effectually checked it must be accomplished by other and entirely different means. As regards Liverpool, it has already been shown that drunkenness is declining, if we take the apprehensions in their ratio to population; and, apart from statistics, persons well acquainted with the town have recently borne emphatic testimony to the same effect. At a meeting of the Liverpool Domestic Mission on Monday, the 19th of February, 1872, Mr. S. G. Rathbone said "the town and the people were more prosperous. The amounts deposited in the Liverpool Savings Bank had increased from £49,226 in 1862 to £68,955 in 1871; and that increase had been steady, and did not at all follow the fluctuations of commerce in the town. During several years there had been also a decrease of pauperism, as the following figures would show :—

Persons relieved in the parish of Liverpool :—

In the year 1867 .....	29,700
„ 1868 .....	24,300
„ 1869 .....	22,360
„ 1870 .....	16,859
„ 1871 .....	12,831

There was also a marked decrease in the amount of serious crime. If they agreed that the advocates of temperance were right in their assertion that drunkenness filled the poorhouses and prisons, the converse of that proposition must be true; if they found those places steadily emptying, they might take it as a proof that the amount of drunkenness was steadily decreasing. He had asked a number of gentlemen who were in the habit of coming face to face with the people, if they thought drunkenness was increasing, and their answer had been that it was decreasing; and the conclusion he had come to was that not only in Liverpool, but throughout the whole country, the vice of drunkenness was rapidly decreasing amongst them."

The Evidence from the Revenue Returns. While the *Judicial Statistics* show that there has been a decline in the apprehensions for drunkenness, the Revenue returns concurrently prove that there has been no increase in the consumption of spirits (the chief cause of



drunkenness) at all proportionate to the increase of population. Indeed, the consumption of spirits is smaller now than it was ten years ago. The Commissioners for the Inland Revenue give the quantity of British spirits used for beverages only as follows :—

	Gallons.		Per Head.
1860.....	24,435	.....	0·83
1870.....	21,980	.....	0·71

The detailed figures show a decrease for England of 18 per cent., Scotland of 8 per cent., Ireland of 9 per cent., and for the United Kingdom of 14 per cent. But whilst showing an actual decrease in the consumption of British spirits, the Commissioners report an increase in the importations of foreign and colonial spirits from 0·19 per head in 1860 to 0·37 per head in 1870. Even with this, however, there is on the whole a decrease, and moreover a considerable quantity of foreign and colonial spirit is used for manufacturing purposes, the exact absorption of which it is impossible to trace or specify.

Commenting on this question of the consumption of liquors, and citing the respective statistics, Mr. H. P. Gilbey, in a letter to the *Times* of January 6th, 1872, remarks that “ The consumption per head of half a gallon of wine, one gallon of spirits, and 21 gallons of beer per annum will be admitted on all hands not to be an excessive quantity, and were the medical profession to frame, in accordance with your valuable suggestion, a set of rules in regard to food, drink, and exercise, showing what is the proper allowance of solid food, of port, sherry, and beer, they certainly would not fix a lower standard than that just named. Taking wines and spirits, and treating them in a strictly medical light, it appears that, were they equally consumed by the entire population, the quantity that at present finds its way into the country would only give for each individual a daily supply of half a tablespoonful of spirits and a quarter of a tablespoonful of wine, proportions which are almost homœopathical.”



**Alliance  
Exaggeration  
as to  
Disease and  
Insanity.**

Another favourite assertion of the Alliance advocates is, that both disease and insanity are mainly due to the use of intoxicating drink. On this subject we may quote the authority of Dr. Barclay, a leading physician in Leicester, who, in a pamphlet on Temperance and Intemperance, published by Mr. Bosworth, of Regent-street, London, in 1861, presented some remarkable statistics from his own practice. In 3,746 cases, he says, he found 5 per cent. only attributable to drink, and 0.55 to tobacco. And he adds :—

The result of such an investigation shows the folly of trusting to vague ideas of numbers. It is stated, on medical authority too, in some of the teetotal books, that “the diseases distinctly referable to ardent spirits alone, amount to 75 cases out of 100.” \* \* \* “About 50 per cent. of all the sickness admitted to the Glasgow Infirmary is connected more or less with the use of spirituous liquors.” I quote these two assertions (continues Dr. Barclay) to show their utter fallacy: they are the only two distinct associations of numbers that I can find to lay hold of. Such expressions as “tens of thousands dying,” “destroying more lives than the sword,” “vast amount of disease,” “large proportion of all disease,” are quite common. The same gross exaggeration has prevailed with regard to cases of lunacy. Lord Shaftesbury stated publicly that 60 per cent. of them could be traced to intemperance. The numbers, even in Edinburgh and Glasgow, are only 24 and 21 per cent.; while in an average of five asylums taken at random in England, Scotland, and the United States, the average per cent. is scarcely above 14.

But, in connection with this subject, Dr. Barclay carries the war into the teetotal camp. He shows among other things that total abstinence from stimulating drink actually predisposes to certain diseases. Of the European regiments in India the sick are to the strong—

Teetotallers .....	31.30 per cent.
Temperate .....	17.78     ,,
Intemperate .....	20.16     ,,

In fever, dysentery, and diarrhœa, the average is in favour of the intemperate as against the total abstainer.

**Inconsistency  
of the  
Allianceites.**

The facts cited might be indefinitely multiplied did space permit. They indicate sufficiently, however, the value to be placed upon the random assertions by which the Alliance seeks to promote its agitation. That agitation is further condemned by the fact that it is, on the part of a great portion of its members, thoroughly inconsistent. It is not necessary by the rules of the Alliance that its members or adherents should themselves be total abstainers, and as a matter of notorious fact, a very large number of them are habitual users of alcoholic liquors. Three out of the six members of Parliament whose names were on the back of the Permissive Bill of 1871 are known not to be abstainers. Yet these people have actually the inconsistency to ask the Legislature to pass a law that would prevent the poorer classes of society from obtaining those beverages which they use themselves, and which their wealth would enable them to continue to obtain even in the event of the passing of the Permissive Bill.

**The Permissive Bill in Parliament.** That measure has been presented to Parliament four times with the subjoined result :—

Votes and Pairs.	For the Bill.		Against.		Majority Against.	
June, 1864	...	40	...	297	...	257
May, 1869	...	94	...	200	...	106
July, 1870	...	115	...	146	...	31
May, 1871	...	136	...	208	...	72

It will be observed, and observed with regret, that the numbers present on these occasions have been only about one-half of the House, and it is to be feared that a grievous want of moral courage has frequently prevented honourable members from expressing their honest convictions on the subject of the measure. On the last occasion, in May, 1871, numbers left the House after the debate, without taking part in the division, and this despite the very earnest, almost imploring appeal, of the Home Secretary. Mr. Bruce said\* :—

The House has already by its votes misled the public upon

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\* The *Times* Parliamentary Report, May 18, 1871.

this subject, for of those members who had voted for the Bill on a previous occasion he did not believe that one half, one-third, or even one-fourth of them were really in favour of it. He objected to a measure which diverted attention and strong feeling throughout the country from plans which were efficacious to those which were delusive. It was pitiable to see large petitions, signed by 40,000 or 50,000 confiding people, presented from Liverpool, Manchester, Glasgow, and other large towns in favour of the Bill, when nothing could be clearer than that, if approved by Parliament, it had not the slightest chance of adoption in any of those places. There could be no doubt as to the decision of the House that day, but it was to be hoped that the division would represent the real meaning of the House. Many members really opposed to the Bill failed to vote, withdrawing from the performance of a great public duty. Thus the opinion of the House had never yet been fairly tested. Such a course was not creditable to the House. The country had a right to expect that members would act, not upon the dictation of large sections of their constituents, however earnest and well-meaning, but upon their own well-matured convictions. He hoped, therefore, that honourable members would to-day give a decisive aye or no to the questions from the chair.

The appeal was in vain. Only about half the members constituting the House voted, and members were to be seen hurrying away, whilst some of those who recorded their votes in favour of the Bill have since declared that they are opposed to the measure. (See speech of Mr. Vivian, M.P., quoted in section 4 of this pamphlet.) In this way the hopes of a most delusive agitation are fostered, and the country is defrauded of that decisive action which it has a right to expect from its representatives in Parliament. Nor is it in the House only that members have shown their inconsistency. The professions of antagonism to the Permissive Bill, made on the hustings, have not been redeemed in practice by their votes in the House. Not a few who have gained support at contested elections by their denunciations of prohibitory legislation have systematically absented themselves from every division. Their neutrality is not merely unfair to their constituents; it invites the continuance of a pernicious movement out of doors,



and leaves a question unsettled which, on every ground of social policy, demands a final and emphatic decision.

The Alliance  
£100,000  
Fund.

Outside Parliament the Alliance is carrying on its campaign with increasing vigour. But for all practical purposes its bark is much worse than its bite. Its influence on the vast majority of the public is infinitesimally small. It would be the extreme of folly to accept the resolutions passed at its meetings as an indication of the way the people would act if any attempt was really made to enforce the prohibitory system. There is an immense, inactive, but very influential mass of public opinion which approves of moderate drinking. The representatives of this latent feeling do not attend Alliance meetings, and their voice is rarely heard amidst the clamour and hurly-burly of the Alliance agitation, but their votes are very tangible things, and recent elections have shown decisively how they will be cast when any occasion for a protest or a struggle occurs. The latest attempt of the Alliance to cast dust in the eyes of the world, and make its movement seem to be a very influential and portentous affair, is the announcement of the raising of a guarantee fund of £100,000. A few words will reduce this apparently gigantic scheme to its proper proportions. The subscriptions to the fund are to extend over five years; in other words only one-fifth of the promised amounts will be called up annually, and the appeal issued by the Council of the association intimates that "the promise to the Fund will not be held as binding in the event of death or inability to subscribe." Now, as the fund annually raised by the Alliance for some years past has not fallen short of from £10,000 to £15,000, it will be seen at once that the £20,000 which it is now proposed to raise annually for the next five years is not a very appreciable increase on its recent efforts. The only bigness about it accrues from the massing of the several sums into one heap, in the delusive hope that its apparent magnitude will strike the imagination and intimidate unthinking people



into a notion that the Alliance is striding onward to an assured and early triumph. As a matter of fact, its efforts are more discredited than ever; every parliamentary and many municipal elections with which it has interfered have resulted in the utter rout of the candidates whose cause it has espoused; a large number of its recent meetings have been signalized by the presence of strong bodies of opponents; and lastly, and most significant incident of all, not a few teetotal leaders have ventured of late to challenge its policy, and to declare that, instead of helping on the cause of temperance, its existence has proved detrimental to the progress of sobriety and a serious obstacle to the exertions of those advocates who rely upon moral suasion for success.

**Mr. Trevelyan's**           The Alliance has, however, made one convert  
**Five**                   recently, and he happens to be a Member of  
**Lectures.**           Parliament.

Whether either side is to be congratulated, time alone can show. Mr. George Otto Trevelyan, the "Competition Wallah," seems to have an itch for notoriety. In pursuit of this, he seceded two years ago from the Liberal Government, in which he held a subordinate office, upon grounds which friends as well as opponents generally regarded as wholly inadequate, and tried to get up a public agitation on the question of army reform. Deprived of this crotchet by the action of the very Government from which he withdrew, he has now taken up with the Permissive Bill, and, in company with its author, Sir Wilfrid Lawson, stumped the country very industriously during the recess. Five of his speeches he has republished in a pamphlet. To say that they reproduce all the stale exaggerations of the Alliance is to say little. Mr. Trevelyan, like all converts and novices, is a perfect prodigal in exaggeration. Of course he ascribes all the crime, misery, and irreligion in the country to the use of drink; and equally, of course, there is one sure and certain way of bringing the Millenium and bringing it very speedily—namely, the adoption of the Permissive Bill. To follow Mr. Trevelyan through this rhetorical tirade and show its hollowness would be to slay

the slain. The only novelty in the address is the political and electoral twist which Mr. Trevelyan contrives to give to it. He compares the liquor trade to negro slavery in America, and says that "just as the Republicans in America drifted into being abolitionists, so the Liberal party of this country, in spite of its antecedents, in spite of its fancied interests, in spite of itself, must ere long become a temperance party." He means, of course, a Maine Law party. Elsewhere he says "you must put down drink if you want men to be Liberals," and he insists that every candidate declining to support the Permissive Bill shall be proscribed. Mr. Trevelyan is not a political leader, and he has no influence as a politician, so that perhaps it is unnecessary to attach much weight to the dictatorial advice he gives to the party to which he professes to belong; but his observations show how far a fanatic is prepared to carry his crotchets. Mr. Trevelyan would not only force everybody to be a total abstainer, but he would make adherence to his doctrine a test whether a man was a Liberal, and he would turn what professes to be a social reform into the battle-cry of a political party. Surely, the force of folly could no further go!

**The Trade  
and  
Political  
Parties.**

To meet the aggressive action of the Permissive Bill advocates, the Trade has been compelled to combine for the protection of its interests; and one result of the combination has been the introduction of a new, disturbing, but inevitable element into the electoral contests of recent years. Since the promulgation of Mr. Bruce's Licensing Bill in the summer of 1871—a bill which was largely inspired by a wish to meet the views of the Alliance—the elections have undoubtedly been considerably influenced by the Trade, reinforced and supported by that large majority of the public, which, heretofore quiescent, has at last been aroused to the monstrous character of the Alliance scheme. In no single instance during the past nine months has a promoter of the Permissive Bill, or any one showing the slightest tendency in that direction succeeded in obtaining a seat in the House. A more remarkable series of defeats has never been recorded. The first occurred in

Norfolk, The Liberal candidate was the eldest son of a landed gentleman who had himself represented the county. He was influential and personally popular. He had fair chances of success, although his predecessor was a Conservative. But the Trade was active, and he lost his election. Durham followed, and then, in rapid succession, Truro, East Surrey, Plymouth, Shrewsbury, Colchester, Southwark, the Isle of Wight, and the Northern Division of the West Riding. The case of Plymouth was exceptionally noteworthy. The leading newspaper in that town—alone among the daily newspapers of the kingdom—has been advocating the Permissive Bill and prohibitory legislation generally, in season and out of season, with most extraordinary pertinacity and persistence. It has dragged its objections to the liquor trade into almost every issue of the journal. Moreover, as regards political parties, it is absolutely and fairly neutral, so that in espousing the cause of any candidate no suspicion of Radical or Tory favouritism could possibly be entertained. Of the two candidates, the Permissive-Bill-ite was the best known in the town, the other was a stranger from Liverpool. Yet with all these advantages, the Alliance man never had a chance, and the opponent of the Permissive Bill won by a considerable majority. Dover furnishes another instance in point. Mr. Jessel sought re-election after his appointment as Solicitor-General. It was a very close contest, and it is generally believed that nothing would have availed him had he not, a night or two before the polling day, emphatically declared his opposition to the Permissive Bill. In Yorkshire, the defeated candidate, Mr. Isaac Holden, had no reason to thank the members of the Alliance. His reference to the licensing question in his address was one of the most guarded nature, and certainly did not commit him to prohibitory legislation, but a meeting of delegates of the Alliance, which met at Bradford, passed a resolution in his favour and promised their support, and from that moment his chances were gone. It has never until recently been a part of the policy of the Trade



as a trade to interfere in political elections; it is repugnant to all its traditions and convictions to do so now: and it has only at last been forced into the conflict by the signs and portents of the recent attempts at legislation, by the aggressive attitude of an antagonistic organization of prohibitory agitators, and by the dilatory, half-hearted, and unsatisfactory way in which the House of Commons has dealt, on several occasions, with the Permissive Bill of its enemies, the United Kingdom Alliance.

**The Trade  
and the  
Licensing  
Question.**

It only remains for us, in this section, to explain the views of the Trade in reference to the Licensing system.

They have already been laid before the Home Secretary by a deputation from all the societies of Licensed Victuallers in England, and may be thus summarised :

1. That the licensing authority should be the present licensing magistrates.
2. That licenses shall not be withdrawn unless three convictions are proved against the applicant at the General Annual Licensing Meeting. The Court of Appeal to be the Quarter Sessions, with a jury if required by the appellant.
3. That annual attendance for the renewal of licenses be abolished, except in the case of offenders.
4. That there is no necessity for the creation of a new staff of inspectors, the powers of the Excise and police being abundantly sufficient to detect and punish those who violate the Excise or police enactments.
5. That a select committee of the House having in 1868 reported against any alteration of Sunday hours, that question need not now be raised, but the hours in the week days to be uniform in town and country, and affect alike grocers and others engaged in the sale of exciseable liquors.
6. That persons licensed under the new Bill should have the power of giving evidence upon oath in their own defence in police and Excise cases.
7. That the principles of the Suspensory Act in reference to the



removal of old licenses to an entirely new neighbourhood, be embodied in any new enactment.

8. That if the foregoing resolutions are embodied in a statute at once, the Suspensory Act need not be renewed; but, if not, the Suspensory Act should be renewed, say for three years, the grocers should be included, and no further privileges extended to them.

The adoption of these suggestions as the basis of an amended licensing system would simplify and consolidate the existing law. The chief result would be the establishment of uniformity. The public-houses in town and country would be treated alike, and grocers who deal in exciseable liquors would be brought under the restrictions and regulations which now apply to licensed victuallers. The equity of the latter requirement is obvious. The principle of uniformity was originated by the Beer Act of 1869, promoted by Sir Selwyn-Ibbetson. That measure abolished the free-trade system in the licensing of beerhouses, and brought them under the control of the justices. The removal clause inserted in the Suspensory Act of 1871, if justly administered, would lead to a redistribution of public-houses, by a transference of them from localities where there are more than are required for public convenience, to new and increasing neighbourhoods, or to places where a recognised deficiency of accommodation exists. As population is constantly fluctuating, it is desirable that some such regulation should be in force, and it would in a short time effect a certain improvement, and lead to a fair adjustment of the supply to the needs and convenience of the public. The experience of the past two years has done something towards proving the utility of the Beer Act in checking the indiscriminate multiplication of beer-houses; and a fair and adequate trial is likely to tell with corresponding force in favour of the Suspensory Act removal clause.

It is a grievous blunder to assume, as the Alliance is so fond of asserting, that the Licensed Victualler is interested in the existence or promotion of the vice of drunkenness. It is not only obnoxious to him as a tradesman and the head of a family, but it is as detrimental to him as to any other citizen. If the vice of drunkenness leads, as it doubtless does lead, to pauperism and the commission of

crime, the Licensed Victualler as a ratepayer suffers with the rest of his fellow-countrymen, and is mulcted quite as heavily in the shape of augmented rates and taxes. Just in proportion as this evil is costly to the country is it costly to him. Any regulations, therefore, which can be framed with a view to the stamping-out of drunkenness will receive his adhesion and support—always supposing that they do not interfere with his business in such an arbitrary and prohibitory fashion as to punish the majority of his customers for the vices of the few. People cry out for License Reform. But License Reform is not moral reform. It is merely a regulative administrative process. The reform of the drunkard must, in the main, be sought in other directions. It must come from within. It must have its basis in a moral change. Ignorance, as we have already shown, has an immense deal to do with the vice of drunkenness, an overwhelming majority of the drunkards arrested being men or women who are absolutely, or almost wholly, destitute of the most elementary rudiments of education. Dwellings unfit for human habitation, overcrowding, monotonous overwork, the want of wholesome recreation, all contribute their quota, both in large towns and the rural districts, to the creation of drunkards. Change these conditions, alter the degrading circumstances amidst which a large portion of our fellow-countrymen live, give the Education Act time to work, and slowly but surely, with no chance of reaction and no class revolt against premature prohibitory legislation, intemperance and excess among the poor and ignorant will give place to thrift, sobriety, and self-respect.



## II.—SUMMARY OF REASONS AGAINST THE PERMISSIVE BILL.

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1. Because it introduces a principle that is absolutely new to the constitution—that of giving a majority the power of interfering with the social habits and tastes of the minority.

2. Because, on account of its permissive character, it would be unequal in its operation. Thus, it would probably be adopted only in places where prohibition is unnecessary, and be rejected in districts that might be supposed to require it most. The gain—gauging gains from the Alliance point of view—would be apparent, and not real. Whilst causing an immense amount of inconvenience to the public, it would simply shift the locality of the consumption, and such evils as are attendant upon excess would be concentrated and intensified.

3. Because the Act (should it ever become one) would be a perpetual and ever-recurring source of agitation, strife, and dissension. This is not matter of theory. It has proved to be the experience of all those States in America where the experiment has been tried. The evil would be a thousand-fold worse in England, Scotland, Ireland, and Wales, as the self-governing divisions in this country are proportionately smaller, and infinitely more numerous. In boroughs, ward would be divided from ward, in rural districts parish from parish, and the agitation would permeate all the endless ramifications of our administrative system.

4. Because prohibitory legislation, wherever put in force, would lead to endless attempts to evade the law, and to practices which, both socially and morally, would tend to the demoralisation of the people, by substituting for an open, legitimate, and responsible trade, a secret, surreptitious, and irresponsible traffic in alcoholic liquors. The experience of Scotland in regard to the Forbes Mackenzie Act, and of the American States, again removes this assertion out of the region of theory into the irrefragable and indisputable arena of fact. Prohibitory legislation, wherever tried, has failed to make a people sober, whilst, on the other hand, it has encouraged a system of deception and hypocrisy quite as deplorable as the excesses which the legislation was designed to



remove, and has created offences before the law which are against the moral sense of the people.

5. Because such an Act would place in jeopardy a recognised and legitimate trade, which has been established in our midst for centuries, and has grown up under the sanction and encouragement of successive Governments. In places where adopted it would at once annihilate that trade, and, without compensation, would deprive large numbers of honest and most respectable citizens and their families of their capital and their means of livelihood. It would, in fact, institute a system of arbitrary confiscation at the mere bidding of a section of the ratepayers. In addition to this, it would place the trade throughout the country (*i.e.*, in every place where the Act was not yet adopted) on a precarious footing, depreciate its value by reason of that precarious tenure to an incalculable extent, and reduce what is now an honourably-conducted, arduous, and responsible business to the level of a gambling and reckless speculation. The extent of so grievous and irreparable an injury may be gathered from the fact that the capital (fixed and floating) at this moment invested in the trade amounts to about £115,000,000, and that it gives employment and livelihood to nearly a million and half persons.

6. Because such an Act, where carried into force, would intensify class distinctions, and virtually establish one law for the rich and another for the poor. The richer sections of the community, by means of clubs and the facilities they would still enjoy of importing and storing their own beverages, would be regarded as unduly favoured, whilst the poorer classes would be forcibly deprived of the conveniences of social enjoyment, and the opportunity of obtaining what they require in such ways and in such quantities as are most consonant with their pecuniary resources. The tap would cease to run, but the cellar would be inviolable. In fact, an English Maine law, however carried, whether by the Legislature or a ratepayers' majority, would be an invasion, by the rich, of the pleasures of the poor. Even if not so in reality, it would appear to be so, and that in a matter of social legislation is an important consideration, which no wise statesman could afford to disregard.

7. Because such an Act would inflict grievous and insufferable hardship upon all travellers, tourists, and commercial men. Although the Alliance people are fond of parading the aggregate number of licensing victuallers as one reason why a reduction is necessary, it must be remembered that innkeeping is the most ramified and widely-distributed industry in the country. No other trade or profession can, in this respect, vie with it. It exists for the public convenience everywhere, in

the loneliest way-side places equally with the large city. The hostelry is to be found in the smallest villages, in seaside or summer resorts, in rarely-frequented solitudes (the haunt only of the angler or the adventurous tourist), all along our numerous highways and bye-ways; wherever, in short, business or pleasure or the service of the public demands. The sudden cessation of an enormous trade like this, or even its partial destruction through the operation of a permissive measure, would not only be an unparalleled revolution in our social system, but would tell with painful force upon tourists, and would prove simply intolerable to that large and industrious body of emissaries who travel in the interest of our great commercial and manufacturing establishments through every nook and corner of the country.

8. Because such an Act would be founded on an erroneous principle. It would impose mortifications upon the majority for the vices and excesses of a small minority. It would be a law designed to check an *abuse*, and would go to the other extreme, and limit or prevent, and, as far as possible, prohibit, under penalties, the moderate and rational *use* of an article which only a small number of people regard as absolutely and invariably injurious. It would impose a sacrifice upon the sober many for the sake of the intemperate few. Legislation upon such a basis is radically unsound, and, if adopted in this case, would be a retrogression in statesmanship, tyrannical in theory and in practice, and entirely foreign to the principles upon which Government has been conducted in modern times.



### III.—HISTORY OF THE FAILURE OF ALL PROHIBITORY LAWS.

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**Inefficacy of  
of  
Sumptuary  
Laws.** The Maine Liquor Law, which the Alliance seeks to introduce into this country, partakes, in part, of the nature of a sumptuary law. Enactments of this kind have long been regarded as opposed to the principles of political economy, and they have always proved inoperative. They were frequently imposed in ancient Rome, and habitually transgressed. In England, sumptuary laws were in great favour from the time of Edward the Third to the Reformation. The tenth statute of Edward the Third enacted that no man, whatever his condition or estate, should be allowed more than two courses at dinner or supper, or more than two kinds of food at each course. The wearing of furs, skins, and silks was also prohibited. Servants were forbidden to eat flesh meat or fish above once a day. "It was easy to foresee," says Hume, "that such ridiculous laws must prove ineffectual, and could never be executed." They were, in fact, universally disregarded; and all subsequent laws to the same effect shared a like fate. A similar result followed the enactment of sumptuary laws in France and Scotland. Most of the sumptuary laws in England were repealed in the time of James the First, having long been of no effect, but it is a curious fact that a few remained in the statute book as late as 1856.



Failure  
of  
Prohibitory  
Legislation  
in  
England.

Something very like prohibitory legislation was tried in England in the reign of George the Second. In 1731, the Gin Act was passed. It was not Government measure, but proceeded from a philanthropist, Sir Joseph Jekyll (the Sir Wilfrid Lawson of that day). Its history, as told by Earl Stanhope in his *History of England* (vols. 2 and 3, chapters 17 and 25), is instructive:—

“ Drunkenness, *a vice which seems to strike a deeper root than any other in uneducated minds*, had greatly augmented, especially in London, during the late years of peace and prosperity. In this session. the Justices of Middlesex thought it their duty to present a petition to the House of Commons on this subject, stating that the evil had grown to an alarming pitch ; that the constant and excessive use of Geneva had already destroyed thousands of Her Majesty’s subjects, and rendered great numbers of others unfit for useful labour and service, debauching at the same time their morals, and driving them into all manner of vice and wickedness.” This petition having first been referred to a committee, Sir Robert Jekyll proposed to lay on gin and other spirituous liquors *a tax so heavy as to amount to a prohibition for the lower classes*, namely, a duty of 20s. on each gallon sold by retail, and £50 yearly for a license to every retailer. Neither Pulteney nor Walpole (premier) approved of the scheme ; the former *complained of the invidious distinction between the poor and the rich ; the latter foresaw that such exorbitant duties had a tendency to defeat themselves, and to encourage smuggling and fraud*. Sir Robert Walpole made, however, no opposition to the Bill, merely predicting that his successors would have to modify it, and provided that the Civil List did not suffer in consequence. It was to the Civil List that the small duties hitherto levied had belonged, to the amount of above £70,000 yearly ; and this sum Sir Robert proposed should be granted to the King in compensation for the loss from the greatly reduced consumption of spirituous liquors. This clause, just and reasonable as it seems, was not carried without much altercation and difficulty in the House, or great clamour out of doors. To the lower classes the measure was already most unwelcome ; and it was now exclaimed that Walpole was ready to sell the comfort of the people to the highest bidder, and indifferent who might suffer, so that the revenue did not ! In 1742, after five years experience, the Act was repealed. It was found, as Walpole had foretold, that the duties imposed, *amounting nearly to a prohibition*, had only

afforded encouragement and opportunity to fraud. Informers were terrified by the threats of the people; justices were either unable or unwilling to enforce the law; and *it was proved that the consumption of gin, instead of diminishing, had considerably augmented since the heavy duties were imposed.* Though no licence was obtained, and no duty paid, the liquor continued to be sold at all the corners of the streets; nay, we are even assured that the retailers of it used to set up painted boards, inviting people to be drunk at the small expense of one penny, assuring them that they might be dead drunk for twopence, and have straw for nothing! They accordingly provided cellars or garrets strewed with straw, to which they conveyed those poor wretches who were overpowered with intoxication, and who lay there until they recovered some use of their understanding; whilst the other dens for drinking were hideous receptacles of the most filthy vice, resounding with continual riot, oaths, and blasphemy. To check these frightful disorders, and at the same time prevent the loss to the revenue, the ministers had framed a new bill, by which a small duty per gallon was laid upon the spirits at the still-head, and the price of licenses reduced to twenty shillings. Through this measure it was thought that the price of gin would be moderately but really raised—so much as to discourage the drunkard, yet not so much as to encourage the smuggler, that the law being mitigated would be enforced, and that the revenue would gain a clear and certain accession. The bill passed the House of Commons rapidly and almost without remark, but in the Lords encountered a most vigorous resistance. All the Bishops opposed it. It was denounced as a sanction to vice, as a license granted to the people for poisoning themselves, as ‘a bait spread over the pit-falls of debauchery,’ as an infamous attempt to raise the revenue at the expense of the health and morals of the people. Lord Hervey moved that several eminent physicians should be summoned to the bar, to prove to the House the fatal effects of dram-drinking. But the palm of eloquence on this occasion was undoubtedly borne away by Chesterfield. His two speeches on this question, far better reported than most others of that day, may still attract our admiration, and have seldom been surpassed as combinations of lively wit and impressive forebodings. Yet, notwithstanding his exertions, and those of the Right Rev. Bench, the bill passed by a great majority.

So ended the Gin Act, the first determined attempt to introduce the principle of prohibition. We may add to Lord Stanhope’s graphic narrative the striking fact (see M’Culloch’s *Commercial Dictionary*) that within two years of the passing of



the Act, no fewer than 12,000 persons (in a population of about five millions) had been convicted of offences against it. "The more respectable traffickers abandoned the proscribed business, which fell into the hands of reckless and disreputable men, who set at nought the provisions of the law." Just the result which may be expected to follow any advance towards the adoption of a Maine Liquor Law now. "The law," continues our authority, "became odious and contemptible (having no moral power to sustain it); and policy, as well as humanity, forced the Commissioners of Excise to mitigate its penalties. The Government relinquished the fruitless contest."

A similar result attended the Sunday closing scheme of Colonel Wilson-Patten. The honourable and respected member for North Lancashire succeeded in obtaining the passing of an Act in 1854 for the diminution of the hours during which liquor could be sold on Sundays from eight to five and a half. Previously, under the General Licensing Act of George the Fourth, the hours were from one to three, and from five to eleven, as they are now. Colonel Patten's Act made the hours one to half-past two, and from six to ten. Moderate as this restriction was in comparison with the demands urged by the Alliance advocates, it caused much public inconvenience and great agitation in the large towns, and involved the trade in expensive litigation. After a twelve months' trial the Act was repealed. Its author, Colonel Patten, speaking at a temperance bazaar in Lancaster in the August of 1868, told the story of its failure:—

He had attempted legislation with a view to further restricting the liquor traffic on Sundays, but it had failed lamentably. Why did it fail? It failed simply because he did not carry the public opinion with him, and the consequence was that the measure he introduced into Parliament had to be abandoned. His bill was enacted in 1854 and repealed in 1855, because he had not acted in accordance with the feeling of the public. He thought they should never lose sight of that experience. Legislation on the subject of intemperance must be governed by the rules that guided them in other matters: if they legislated beyond what the public were prepared for they would be sure to fail.



He was opposed to anything like another attempt to legislate until they could carry the public with them.

Measures to *regulate* the trade have been passed since the repeal of Colonel Wilson-Patten's Act, but no distinctly restrictive legislation in the direction of prohibition has again been attempted. In the two experiments hitherto made in England, it is sufficiently proved that the public convenience was not adequately consulted, and that the evils which attended the attempt were, in both cases, far greater and far more inimical to social order than those which they were professedly designed to remedy.

**The Sunday  
Maine  
Liquor Law  
in  
Scotland.**

Another restrictive experiment has been tried, and is still on trial, in Scotland. It is known as the Forbes-Mackenzie Act, and was passed in 1853. It may be fittingly and adequately described as a Maine Liquor Law for Sundays, all places for the sale of liquors being absolutely and entirely closed on that day, except to lodgers and *bona-fide* travellers—an expression that has caused much difficulty in construction. There is no doubt that the law is evaded. In *Chambers's Encyclopædia*, we are told that “various devices have been attempted to evade the stringency of the provisions, the most successful of which has been the plan of forming clubs with a nominal entrance-fee, where the members have stores of their own, from which they can be supplied in the club-house. The police returns also show that numerous arrests for drunkenness continue to be made on Sunday, a fact which proves that drink can be and is still obtained by those who desire it. But the most complete account of the working of the Act is contained in an elaborate historical report by Mr. John Walsh, superintendent of the Perthshire police, and from it the subjoined extracts are taken :—

The expected reformation is to all appearance as far off as ever. This condition of things does not exist because the Public-houses' Acts have not been put into fair operation, for few Acts have been as well enforced. \* \* \* \* The source from which mischief proceeds is the “shebeens.” This evil cannot be laid at the doors of the public-house keepers, but sprang into existence on the hours

of the regular trader being curtailed; and their continuance is due to the difficulty of detection, and the smallness of the penalty and imprisonment imposed, on a conviction taking place. Shebeens, as they now exist, are not frequented except at the time the regular licensed houses are closed, unless it be by those who have given themselves up to the practice of every kind of vice, and have no home. A considerable quantity of drink is sold in these houses every day, but Sunday is the principal one for business. A person going into the lane or street in which there is a number of these houses would, in all probability, observe no movement amongst the inhabitants; whether shebeens existed there or not he could not tell; but if two or three constables go in (one is of little use in such a case) they would see a movement. No sooner do they enter at the one end, than all those standing at the doors apparently taking the air, disappear, and preparations are quickly made in case of a visit. All those houses which, before the constables appeared, had their little parties sitting drinking, are at once so changed as to cause one to imagine that the Maine Liquor Law was in force in that district; but no sooner do they pass on to another part of the town, than the state of matters existing before they appeared is resumed. As it is not in the shebeen keeper's house where he generally keeps his drink, but in the house of some friend, it is most difficult for the police to make a detection. Large quantities of drink are also carried away, to be drunk elsewhere; but it is only to those whom the shebeen keeper knows well will not inform upon him that he sells it to.

From all which it would appear that the chief effect of the Forbes-Mackenzie Act has been to substitute secret drinking, with all its concomitant evils, for the open, responsible, regulated, and respectable trade which it has supplanted.

**The  
Maine Law  
in  
America.**

The law prohibiting the sale of alcoholic beverages in the State of Maine was passed in 1851. All the New England States followed the example, and several Western States subsequently entered upon a similar course. In some the laws have been repealed; the New England States, with the exception of Rhode Island, retain the prohibitory enactment on their statute books. It is important, therefore, that the result should be examined, and it fortunately happens that the information is tolerably ample. In every instance prohibition has proved a conspicuous and uncontrovertible failure. The evidence to this effect is cumulative and so overwhelming as to render a

selection somewhat difficult. What we offer is from responsible authorities, and the source is given in every instance.

It is necessary to premise that, in comparison with England, the American States are more favourably situated as regards climate and temperature for such an experiment as the Maine Liquor Law, and that the habits and character of the people are in many respects better calculated to ensure its success. In the first place, it is to be noted that while Great Britain lies between latitude  $50^{\circ}$  and  $58^{\circ}$ , those States of America with whom the Maine Law has found favour lie between  $39^{\circ}$  and  $47^{\circ}$ , and medical and physiological authorities agree that the need for stimulants diminishes the nearer a people are to the Equator. The American people have, in this respect, a considerable advantage as regards the lessened pressure of temptation and probably in respect of the necessities of health; for the instinctive tendency of all Northern nations, of whatever race, to alcohol must indicate some more imperious need than that of a merely unbridled appetite. So it comes to pass that in America common habit greatly strengthens the chances of success of any prohibitory experiments. "The real native American," says Mr. Justice M'Carthy, "north of St. Louis at least, seems to me the soberest men under the sun. Outside the large cities his habit is not to drink wine or spirits at all. Even in the large cities drinking at dinner is a rare and exceptional performance. The right to drink wine, spirits, or even ale, openly, and as a part of one's natural diet, is nowhere recognised in the United States as it is everywhere in England."

These being the advantages upon which the Americans can count in the effort to suppress intemperance by legislative measures, it is all the more remarkable that repression has in every instance proved inefficacious. In Maine, according to Mr. Justice M'Carthy, the law is "an impotent unreality." Mr. Robert Russell, a shrewd Scottish farmer, says—"it is a mere dead letter."\* Writing in the *New York Tribune*, in January, 1872, its editor, Mr. Horace



Greely, a strong upholder of the principles of the Maine Law, says that after twenty years of prohibition in the State of Maine, "the use of intoxicating beverages has not entirely ceased. The liquor traffic is still prosecuted in nearly all of the cities and most of the considerable villages of Maine. Those who love liquor still obtain it, if able and willing to give time and money to procure it. Perhaps no person in that State has long thirsted because liquor was not to be had on any terms. Prohibition has not exterminated the liquor traffic."

Massachussets passed a more stringent law than Maine. After being twelve years in force, the Legislature, in 1864, finding its provisions inoperative, appointed a special committee to consider the expediency of licensing the sale of spirituous liquors, and of repealing or modifying so much of the law as imposed imprisonment on persons convicted of selling malt liquor, wines, or cider. The Committee sat seventeen days, and received evidence from all parts of the State. The substance of the evidence was, that intoxicating drinks were freely sold in every city and town in the State—in most of them without attempt at concealment, and in others with considerable ostentation. In some small towns the law was apparently observed, but such persons as choose to drink can be, and are plentifully supplied from the neighbouring towns. Throughout the State there was a current saying that it was easier for a stranger to get a glass of spirits than a glass of milk. In no city or town, with two exceptions, was the sale more restricted than it was before the Prohibitory Act of 1852, and in most of them the sale had decidedly increased since that time. According to the testimony of the "district prosecutors," witnesses would not give evidence, and when they did jurors would not convict; there was an indisposition on all sides to enforce the law; and when a conviction took place the penalty was not enforced by the judge, in consequence of the intercession of influential citizens. After summing up the general reasons against a prohibitory law, and against retaining on the statute book any law that had become inoperative and could not be enforced, or was opposed to the convictions of a large portion of the community, a majority of the special committee arrived at the con-

clusion that a license law was expedient, and that the sale of wine and malt liquors should not be punished by imprisonment. Since then a prohibitory act has again been passed. Mr. Mundella, M P., in a speech recently delivered to his constituents at Nottingham, gave the result of his observations during a tour in the States last year. He said the law in Massachussetts was systematically broken both by Senators and the other leaders of public opinion. "He had taken wine with the most honoured names in America at the largest hotel ; and when he expressed his surprise that it should be produced, he was told that 'it did not matter, the drink was there.' He asked if they could get spirits in the same way. He was taken down to the bar of the hotel, where he found the students of the University drinking as much whiskey as they had a mind to pay for. Mr. Wendell Phillips, one of the noblest men in America, admitted to him that the law was most scandalously broken in this respect. It was not only in towns that they found the law broken. In nearly every village drink could be got."

Michigan has upon its statute books the most efficient prohibitory law of any State in the Union. The *State Republican*, the leading paper of Lansing, the capital city of Michigan, says :—"So far as Detroit, Jackson, East Saginaw, Grand Rapids, and other of our large cities are concerned, the law is a dead letter upon our statute books. In our own city it is enforced when complaint is made, but we know of no complaints except of the lower order of saloon, whose proprietors are periodically, perhaps three or four times a year, hauled up and made to pay a fine of ten dollars and costs, amounting in the aggregate to fifty or sixty dollars—the profits of a week's business. In three-fourths of the towns in Michigan the law is a dead letter. There is not one man pledged to total abstinence now where there were ten twenty years ago. The proportion of drunkards may not be greater, but the men who have the moral stamina to enforce such laws are decreasing in number.

Mr. Justice M'Carthy, in his able and exhaustive essay contributed to the *Fortnightly Review* on Prohibitory Legislation in the United States, gives a large mass of similar evidence, the result of personal experience and observation, with regard to Iowa and three or four

other States, and he sums up his conclusions, as we may sum up this rapid survey, with the remark that “the repression of liquor selling [in the American States] is possible and does exist in small villages under peculiarly favourable circumstances, but hitherto it has proved a failure in all towns which swell beyond the dimensions of a village. Where it is least needed, it is practicable : where it is much needed, it is impracticable.”





## IV.—OPINIONS AND ARGUMENTS OF EMINENT MEN.

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LORD STANLEY, M.P.

In the autumn of 1856, when the Alliance was about four years old, Mr. Samuel Pope, honorary secretary of the Alliance, invited Lord Stanley, M.P. (now Earl of Derby) to its annual meeting. His lordship declined the invitation, and gave the following as his reasons for objecting *in toto* to the objects and principle of the Association:—

I draw a wide distinction between the voluntary temperance movement and that which seeks to attain its end by legislative intervention. Of the first I entirely approve; the second, I regret to say, I cannot support. I have drawn out a statement of my reasons for not supporting the Alliance, which I enclose. If you choose to give it publicity, I do not object. My wish is to point out the objections which occur most forcibly to my own mind, so that if they can be met you may be prepared to meet them.

1. Because the law-making power in England, being practically in the hands of the wealthy, while the intemperate class is, generally speaking, the lowest in the scale the proposed prohibition would be a cutting off by one class of the (supposed) enjoyments of another—a measure to which the law-makers will not venture, in prudence, to resort; and which, if resorted to, would be regarded by those whom it affected as partial and unjust.

This objection applies less to the case of the United States, although even there complaint is made that the rich, who can afford to buy liquor wholesale, are virtually exempt from the law which enforces abstinence on the poor.

2. Because, while the desire of drink is so strong as to lead to an annual consumption of from £50,000,000 to £70,000,000 sterling in liquor, the proposed prohibition, if carried, would be evaded by smuggling to an enormous extent, with, probably,

the connivance of many magistrates, M.P.'s, and others who would regard the law as impracticable and absurd, and would, therefore, not exert themselves to see it enforced. Hence a double evil—(a) disregard of, and contempt for, law; and (b) less of that practical control which is now exercised over places where drink is sold; the trade falling into more disreputable hands, and a criminal class being artificially produced.

3. Because in the present lamentable condition of the labouring class as a body, the labourer has, especially in rural districts, no amusement or recreation whatever, nor any place of social meeting except the public-house. This state of things is not sought to be defended, nor even palliated, but it exists, and before closing public-houses some better substitute should be provided.

4. Because the suppression of the liquor traffic—assuming it possible—would cause a loss of £20,000,000 of revenue yearly; and though it is admitted that the social aspect of this question is more important than the fiscal, yet it must be considered that so large a deficit can only be made up by the imposition of direct taxes to a vast amount; the discontent produced by which must be added to that directly arising out of a restriction so stringent, and which would be severely felt by so many. This is no argument against gradual diminution of the traffic, but a strong argument against total and violent suppression.

5. Because a habit of self-control acquired by the individual is, in every respect, a better protection than an arbitrary enactment. In those communities of primitive people where no access has ever been had to intoxicating drink, it is found that the desire for it, when casually introduced, becomes an irrepressible passion; and entire tribes have been, and are being, swept off in consequence of yielding to this passion. Prohibition augments desire and the absence of temptation cannot confer moral strength.

6. Because difficulty will arise, if it is meant to be consistent, in defining intoxicating substances. Is tobacco to be included? Is opium? Where the craving for stimulants is strong, these or similar compounds will be substituted for alcoholic liquors. Chemical science will be employed to discover or produce them at small cost. You will only have replaced one form of intoxication by another. Suppose these two prohibited—a measure which will greatly increase the amount of opposition to be reckoned upon—*new means of intoxication can and will be found, calling for new and further extension of the law.*

7. Because the suppression of traffic in liquor can never suffice, as has been found in America, to put a stop to its habitual use. Apart from actual smuggling alluded to before,



the law may be evaded in many ways, *e.g.*, it would probably become the practice for labourers to stipulate for a certain quantity of liquor to be given them in addition to their wages, an abuse which employers are doing their best to put down, but which prohibition of the liquor traffic would render general. Pretended exhibitions would be got up as was done in the States, where, after paying for admission, the visitor would receive his share of liquor gratis. Drinking clubs would be established on the same principle. You can't stop such frauds, unless you declare the possession as well as the sale of liquor illegal, by which enactment every man's house becomes liable to search, and the capital actually invested in private stores of wine and spirits, &c., is destroyed.

8. Because the exertions of temperance societies on the voluntary principle are impeded, and odium is excited against them, by every attempt at forcible suppression of the traffic. To offer to employ physical or material force is in itself a confession that moral force is inadequate for the object proposed.

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#### THE EARL OF DERBY.

Speaking at a meeting in Liverpool, on the 9th of January, 1872, the Earl of Derby said:—

There is a matter of great social interest with which Parliament will probably have to deal next session; I mean the licensing question. It is not a very easy or simple one, and, as usually happens, those who see its difficulties least are surest that they have found the way to settle it. (Laughter and applause.) There is a general feeling, and I am afraid one cannot deny that it is well founded, that as a nation we are a little too fond of good liquor. (Laughter.) I think there is great exaggeration in what is commonly said about drunken habits, because we must remember that a perfectly sober, temperate man of the middle or upper classes, who consumes his three or four glasses of wine daily and never is the worse for them, gets through a great deal more drink in the course of the year than most of the poor fellows who go in for too much beer on Saturday night, and get into trouble in consequence. (Renewed laughter.) Still, making allowances of that kind, there is no doubt that a good deal of crime and disease is due to intemperance. (Applause.) We all want to check that, if we only knew how; and every year various plans are put forward for that purpose. One of those plans is the preposterous scheme framed by a body of men calling themselves the



United Kingdom Alliance. Their theory is, that if by any means you could persuade two-thirds of the ratepayers of a district that beer is objectionable, they shall have the right to impose that rule of diet on the remaining third. Now that is sheer tyranny and intolerance of the worst sort. It would be just as reasonable to lay it down that where two-thirds of the population of any district were Protestants, no Catholic should be allowed to open a place of worship; or that where two-thirds were Liberals, no Conservatives should be allowed to set up a newspaper. (Laughter.) But I won't waste your time on that theory. We have our national faults, but a sour and morose fanaticism is not one of them. (Cheers.) If those Puritans of the nineteenth century were to carry their point, they would find, like the Puritans of the seventeenth century, that they only produced during a few years an apparent conformity, which would be followed by a reaction of excess which everybody would regret. (Cheers.) Well, the other proposals are in various ways to cut down the number of licensed houses by refusing fresh licenses and gradually cancelling the old ones. That is the direction which the last attempt at legislation took. But there is one very awkward feature attending it, that the more you follow the policy of limiting numbers the more you are putting into a few hands a close and profitable monopoly, with the inevitable result that a worse article is supplied at a higher price. I own I am not sanguine of much good being done in that way, though any scheme of that sort which gives just consideration to existing interests deserves at least a fair hearing. (Hear.) Another course, again, is to leave the trade open to all competitors, but to enforce stricter regulations as to hours and management. That is a policy which is just now out of fashion, though it is easier to abuse it than to show that it is wrong. On the whole I do not think that we shall pass any large measure which will what is called "settle the question;" but something will be tried, and I think it will be the duty of Conservatives to help as far as they can. (Hear, hear.) For myself I have no great faith in this kind of legislation, except as a temporary expedient. Time, and teaching, and the force of opinion will do more than any Act of Parliament, and it is on them we must rely. (Applause.) The passion for drink is a disease as well as a vice—a disease generated sometimes by bad air, sometimes by excessive labour; often by poor and ill-chosen diet, and often again by inherited morbid tendencies. To believe that you could cure it throughout the country in a year, or even in a few years, is to go against all the teachings of experience. That there will be improvement I do not doubt, but I believe it will be a work of time, and that in the poorer classes as in the

richer classes a reform of social habits will come about gradually and almost imperceptibly. (Cheers.)

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MR. JOHN STUART MILL.

[From his Book "On Liberty."]

In his book entitled *On Liberty*, Mr. John Stuart Mill, the eminent political economist, refers repeatedly to the Maine Liquor Law, with the view of showing that the principles advocated by the Alliance are unsound. Mr. Mill's reasoning is singularly cogent and powerful, but, as befits a philosophical treatise, it requires very close and attentive study, and detached passages necessarily lose some of their force when divorced from the context. Mr. Mill explains at the outset that the subject of the Essay is Social or Civil Liberty: "the nature and limits of the power which can be legitimately exercised by society over the individual—a question seldom stated, and hardly ever discussed, in general terms, but which *profoundly influences the practical controversies of the age by its latent presence*, and is likely soon to make itself felt as the vital question of the future." How true this is could not be better exemplified than by the position which, since the Essay was written, the advocacy of prohibitory legislation in regard to beverages has assumed in this country. Discussing "the limits to the authority of society over the individual," Mr. Mill says:—

Under the name of preventing intemperance, the people of one English colony, and of nearly half the United States, have been interdicted by law from making any use whatever of fermented drinks, except for medical purposes: for prohibition of their sale is in fact, as it is intended to be, prohibition of their use. And though the impracticability of executing the law has caused its repeal in several of the States which had adopted it, including the one from which it derives its name, an attempt has notwithstanding been commenced, and is prosecuted with considerable zeal by many of the professed philanthropists, to agitate for a similar law in this country.

Mr. Mill then proceeds to deal with the arguments of Mr. Samuel Pope, honorary secretary of the Alliance, as used



in the celebrated controversy with Lord Stanley (the present Earl Derby) in 1856. For facility for reference we place Mr. Pope's leading points side by side with Mr. Mill's rejoinder.

## MR. POPE.

1.—All matters relating to thought, opinion, conscience, appear to me to be without the sphere of legislation; all pertaining to social act, habit, relation, subject only to a discretionary power vested in the State itself, and not in the individual, to be within it.

2.—I claim, as a citizen, a right to legislate whenever my social rights are invaded by the social act of another. [And now for a definition of these "social rights."] If anything invades my social rights, certainly the traffic in strong drink does. It destroys my primary right of security, by constantly creating and stimulating social disorder. It invades my right of equality, by deriving a profit from the creation of a misery I am taxed to support. It impedes my right to free moral and intellectual development, by surrounding my paths with dangers, and by weakening

## MR. MILL.

1.—No mention is made of a third class, different from either of these, viz., acts and habits which are not social, but individual; although it is to this class, surely, that the act of drinking fermented liquors belongs. Selling fermented liquors, however, is trading, and trading is a social act. But the infringement complained of is not the liberty of the seller, but on that of the buyer and consumer; since the State might just as well forbid him to drink wine, as purposely make it impossible for him to obtain it.

2.—A theory of "social rights," the like of which probably never before found its way into distinct language; being nothing short of this—that it is the absolute social right of every individual, that every other individual shall act exactly as he ought; that whosoever fails thereof in the smallest particular, violates my social right, and entitles me to demand from the legislature the removal of the grievance. So monstrous a principle is far more dangerous than any single interference with liberty; *there is no violation of liberty which it would not justify*. It acknowledges no right to any



and demoralising society, from which I have a right to claim mutual aid and intercourse.

freedom whatever, except perhaps to that of holding opinions in secret, without ever disclosing them : for, the moment an opinion which I consider noxious passes any one's lips, it invades all the "social rights" attributed to me by the Alliance. The doctrine ascribes to all mankind a vested interest in each other's moral, intellectual, and even physical perfection, to be defined by each claimant according to his own standard.

Having thus dissected and exposed the unsound principles which lie at the basis of the Alliance agitation, Mr. Mill, in other portions of his treatise, deals with one or two other points, asserting in one place that "drunkenness, *in ordinary cases*, is not a fit subject for legislative interference," on the ground that "purely self-regarding misconduct cannot properly be meddled with in the way of prevention or punishment." On the question of licensing and regulating the sale of strong drink, Mr. Mill lays down the following principles :—

The question of making the sale of these commodities a more or less exclusive privilege, must be answered differently, according to the purposes to which the restriction is intended to be subservient. All places of public resort require the restraint of a police, and places of this kind peculiarly, because offences against society are especially apt to originate there. It is, therefore, fit to confine the power of selling these commodities (at least for consumption on the spot) to persons of known or vouched-for respectability ; to make such regulations respecting hours of opening and closing as may be requisite for public surveillance ; and to withdraw the license if breaches of the peace repeatedly take place through the connivance or in capacity of the keeper of the house, or if it becomes a rendezvous for concocting and preparing offences against the law. *Any further restriction I do not conceive to be, in principle, justifiable.* The limitation, in number, for instance, of beer and spirit houses, for the express purpose of rendering them more difficult of access, and diminishing the occasions of temptation, not exposes all to an inconvenience, because there are some

by whom the facility would be abused, but is suited only to a state of society in which the labouring classes are avowedly treated as children or savages, and placed under an education of restraint, to fit them for future admission to the privileges of freedom. This is not the principle on which the labouring classes are professedly governed in any free country; and no person who sets due value on freedom will give his adhesion to their being so governed—unless, after all efforts have been exhausted to educate them for freedom and govern them as freemen, it is definitively proved that they can only be governed as children.

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THE RIGHT HON. JOHN BRIGHT, M.P.

[From a Speech at Birmingham, January 20, 1870, in reply to an Alliance Deputation.]

I have voted against the Permissive Bill in the House of Commons on more than one occasion—I think twice. I have spoken against it, at the same time supporting what after all is the essential principle of the Bill, and very much approving of the objects to be secured by it. But the Bill, as a machinery, I never would vote for. I hold it to be a bad Bill for the purpose of temperance; and, as it is drawn, it would be a Bill creating contest, confusion, and difficulty; and I hold that the end to be obtained by it may be better obtained with less harm by a different machinery. Therefore I should not vote for the Bill. It is not the custom, neither is it constitutional, to refer great questions by themselves individually to the votes of great masses of persons, that they may determine the great questions of legislation. It is that they may determine the persons by whom questions of legislation shall be considered and determined. Therefore, when you consider what shall be done to control—that is the proper word—the granting of licenses as the means of providing these drinks, then it is a very serious matter whether you should depart from all you have done before, or whether we should adhere to the constitutional and wise purpose of giving the immediate decision to a body elected by the people. This is one of the great reasons why I object to the Permissive Bill. It would work with embarrassment and confusion, and I think it a monstrous provision that the ratepayers of any given town or parish, and the ratepayers of all the parishes of England, are at once to suppress the occupation of 100,000 people or families. You propose by this bill—through an excited and inflamed state of public opinion it may be—that the business which hitherto the law in every Christian and every civilised country has admitted to be a business that was as fairly to be carried on as every other business. There is no provision for compensation in the bill. It is a bill without any legislative quality or character. The bill, as a bill to do what is proposed to



be done, is about as bad a bill as could be contrived. I hold the machinery to be bad, impracticable, and impossible. It is not in the power of Parliament, by an Act of Parliament, to change the habits of the people; and in all probability a law such as you propose, if it were to be passed, would fail absolutely and become a dead letter.

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### THE BISHOP OF GLOUCESTER.

The Right Rev. Dr. Ellicott, Bishop of Gloucester, speaking at a meeting of the National Union for the Suppression of Intemperance at Bristol (January, 1872) said he had noticed in the plan of the Alliance three things which rendered him somewhat anxious as to the wisdom of their proceedings. In the first place, he noticed that the plan proposed by the temperance Alliance did import what seemed to him to be a principle that was novel in our constitution, that of placing the power—and that a great power—in the hands of the majority over the minority; and though he had very carefully read many of the speeches that had been spoken by most distinguished advocates of the Alliance cause, he had been unfortunate enough to find no complete answer to this statement that what they were advocating was a legislative proceeding novel to our constitution. In the second place, his attention had been directed to the fact that it was deemed necessary by the Alliance to raise a sum of £100,000. He could hardly understand for what ends or purposes so large a sum was required. No doubt those who took the trouble and responsibility of going round the country to gather round them well-wishers and friends of the cause incurred certain expenses; but when he considered so large a sum as £100,000 was required to aid in passing a measure through Parliament, he could not but feel that there was some net-work of agencies beyond which he had any knowledge in the matter; therefore he should require some information as to the exact purposes for which that very large sum of money was required. The third point was, perhaps, more difficult to allude to publicly; yet he must not shrink from the responsibility of stating his anxiety at observing that there was so strong an admixture of party politics in the Alliance movement generally. Five speeches on the liquor traffic had been sent to him by a person who was a warm advocate of the Alliance cause. Those five speeches were delivered at five public centres, and throughout those speeches he found constant allusion to the Liberal cause. He found himself carried into an arena which he declined to go



into, namely, the arena of party politics. They must discard party politics in this matter; and, were he a warm friend of the Alliance, there was nothing he should more deprecate than the publication of those five speeches on the liquor traffic.

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### THE BISHOP OF BATH AND WELLS.

[The Right Rev. Lord A. C. Hervey, D.D.]

Speaking at Bath in January, 1872, the Bishop of Bath and Wells said:—

He could not agree with those who thought it would be either fair, just, or wise to make it impossible for persons to obtain what they call intoxicating drinks. He believed they are given by God for use; he believed they have their use, and that the only fault arises when we come to use those things intemperately. In this matter he judged for others as he judged for himself. He knew very well that he was very glad of a glass of sherry at his dinner, and sometimes he had a glass of cold brandy and water, and felt much the better for it; he did not find it intoxicating, because he took it in moderation and not to excess. Beer, like other things, is not intoxicating except when used to excess, and therefore he for one should be sorry to deprive the working man of what he believed is given to him to assist his strength, and to be a comfort to him after a hard day's work. With regard to the prohibition of the sale of liquors on Sunday, of course at first sight it seemed very desirable that there should be no such thing as an open public-house on Sunday, but Sunday was a great day with the working men, their only leisure day, and surely they were not doing wrong in drinking a glass of beer with their families at home on Sunday. Therefore he did not think it would be right to put it out of people's power to obtain these drinks even on Sunday.

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### ARCHDEACON DENISON.

[Speech at Bath, January, 1872.]

He did not believe that anything legislation could do would really touch the root of this tremendous evil (drunkenness), which he believed comes more than from any other source from the enormous accumulation of people in great centres, the high wages, the great increase of wealth, and the excitement

which is necessarily produced among large numbers of people having no home life. No doubt the Legislature was bound to do what it could, and he for one should be glad and thankful to see anything done in a reasonable way, remembering at the same time that they were temperance, not prohibition men; he wanted the thing so done that a man might have his drink without any undue restrictions. As for going any further he never would consent to interfere with the just use of those things which Providence has placed in our hands. With regard to Mr. Trevelyan's speeches, a copy of which had been sent him, he submitted that though they might be very good addresses to people who had made up their minds, they were not by any means a fair representation of the case. Mr. Trevelyan quoted statistics, but he only quoted on his own side, and three-fourths of his argument, if reasoned out logically, went to prove prohibition and not temperance.

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MR. CHARLES SEELY, M.P.

[Meeting at Nottingham, January 3rd, 1872.]

I believe it is extremely doubtful whether intemperance, as a whole, would be checked if public-houses were put a stop to altogether, and no greater evil could be inflicted on the community than a change in the habit which people had now of drinking beer at the public-houses, into taking a bottle of gin to their own homes to drink with their wives. If such a bill as the Permissive Bill were put into operation, I very much doubt whether the evils of intemperance would not actually be increased. But, apart from that, I consider it a most monstrous act of tyranny on the part of the majority to attempt to put down public-houses in any particular parish, and therefore I cannot, and never have, given in my adhesion to the Permissive Bill.

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MR. HENRY FAWCETT, M.P.

[Speech to his Constituents at Brighton, 15th January, 1872.]

The next subject on which you will probably expect me to say a few words, is the licensing question. (Cheers.) I am the more desirous of doing so because I know that upon this question there is a difference of opinion between many of my best friends and myself. Not a few in this constituency,

whose good opinion I particularly esteem, are strongly in favour of the Permissive Bill. I am told that many are prepared to make it a test question at the next election; but if this should be the case, it is all the more reason why I should at once tell you that nothing whatever should induce me to vote for the Permissive Bill. Rather than support it I would infinitely sooner never enter the House of Commons again. I value political liberty, but, if possible, I value individual liberty more. (Cheers.)

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MR. GEORGE DIXON, M.P.

[Speech to his constituents at Birmingham, January 29, 1872.]

I have received intimations, not only from some of my valued supporters in this town, but directly from headquarters at Manchester, that the time has come when those who are not prepared to support in Parliament Sir Wilfrid Lawson's Permissive Bill are no longer to be considered as worthy representatives of the people; and we have been told that if it be not desirable openly to oppose such men, at any rate that votes should not be given in their favour. Now, when you listen to my objections to the Permissive Bill, I hope that you will hear me with patience, and that you will remember that I, too, think I am as much a temperance man as the members of the United Kingdom Alliance, and that the only difference between us is not in the object to be gained but in the way that we go in order to gain it. In the first place, I object to the Permissive Bill, because it is a permissive bill. That is to say, let a permissive bill be passed, and it would be entirely inoperative in a place like Birmingham. And before it could be brought into operation there would have been a period of strife and contention between the dealers in liquor and the temperance people, that in my opinion would be prejudicial to some of the greatest interests of the community. Then this Permissive Bill is either entirely prohibitory or it is nothing. I think the objection against it, if it be something, is that it prohibits the sale of liquor altogether, and that, therefore, if not unjust, at any rate it imposes a great sacrifice upon the portion of the community which is admitted to be moderate in the use of liquors. The bill, moreover, confers no compensation on those liquor dealers who are disestablished by it. In my opinion that would be unjust to the licensed victuallers and beerhouse keepers. I do hope that these objections which I have stated will not be in their



opinion any obstacle, or, at any rate, a great obstacle in the way of their gaining their ends. In my opinion the true policy to be observed with reference to this question is that we should enlist on our side the great body of moderate drinkers and the respectable portion—for I do not hesitate to say there is a respectable portion—of the traffickers in liquor. When we seek as we ought to seek, and as I for one wish to seek, for the ultimate eradicating of the vicious habit and the old-established system of the drinking habits and customs of this country—then, I say, it is wiser that we should proceed by degrees, although sometimes the progress might be slow.

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MR. H. H. VIVIAN, M.P.

[One of the 136 members of the House of Commons who, in 1871, voted for Sir Wilfrid Lawson's Permissive Bill.]

I altogether deny the right of any man, or any number of men, to say to his neighbour, "You shall not eat or drink this particular thing." It may be said I voted for Sir Wilfrid Lawson's Bill; true, I have done so in one shape or another. Since I have been in Parliament I have voted in favour of every measure calculated to reduce intemperance, but I have done so in the sense that it is utterly impossible that such a policy as Sir Wilfrid Lawson's should become law, and simply as a protest that earnest legislation on this matter must be undertaken. I have never advocated, and never will advocate, the passing of a measure that would enable one portion of the inhabitants of a district preventing the other portion from prudently enjoying those beverages which a good Providence has provided.

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HUGH MILLER ON WATER DRINKERS,

*In My Schools and Schoolmasters.*

"Fanaticism in itself is not a good thing; nor are there many quiet people who do not dislike enthusiasm; and the members of new sects, whether they be religious sects or no, are almost always enthusiasts, and in some degree fanatical. A man can scarce become a vegetarian even without also becoming in some measure intolerant of the still large and not very disreputable class that eat beef with their greens, and herrings with their potatoes; and the drinkers of water do say rather strong things of the men who, had they been guests at the

marriage in Cana of Galilee, would have seen no great harm in partaking in moderation of the wine. There is a somewhat intolerant fanaticism among the teetotallers, just as there is fanaticism amongst most other new sects."

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#### CHIEF BARON KELLY ON DRUNKENNESS.

[At the Leicester Assizes, 29th Feb., 1872.]

He might say, and he did it with great pleasure, that he had observed that such of the offences as were charged in the calendar did not appear to have been at least materially occasioned by the grievous offence of drunkenness, and that in this part of Her Majesty's dominions, it did seem that some check at least had been placed upon this description of self-indulgence, which had for a long time been the besetting sin of this nation. It was also a matter of satisfaction to them all that the attention of the Legislature had been directed to this important subject, and, whilst he was addressing them, both Houses of Parliament were engaged in the task of devising some legislation for its modification and diminution throughout the United Kingdom. Now, it would not become him upon such a subject and upon such an occasion to enter upon the matter at great length, but without trespassing upon the forbidden field of politics, he would observe, as he had observed more than once in addressing grand juries, that it appeared to him that the subject might be dealt with without tending in the slightest degree to endanger the liberty of the subject, or without even invading the rights of property.

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#### THE *TIMES* ON THE DIVISIONS ON THE PERMISSIVE BILL.

[In November, 1871.]

Something must be done to settle the question, if only, as we have hinted, in the interest of future candidates. When Sir Wilfrid Lawson's Bill was brought on last Session, it was remarked how large a proportion of Liberal members absented themselves altogether from the division. The plan of shirking a difficulty thus adopted cannot be conveniently repeated, and unless some feasible alternative be presented, we shall see many of the absentees of last year voting for the Permissive Bill next Spring. We wish to avoid the scandal thus threatened, and the greater scandals that would follow were this to happen. It is not creditable to the Legislature that

its members should be found supporting a Bill the principles and details of which they denounce; and it would be equally little to its credit to find a measure pushed forward one Session in obedience to the clamour of one set of fanatics, and hurriedly rejected immediately afterwards in obedience to men resenting the interference of a paternal despotism with their accustomed freedom. The subject must, in fact, be rescued from both extremes, and this can only be done by a bold and comprehensive measure, which the Prime Minister himself might not disdain to introduce, and which should be promoted with all the influence of the Government.

